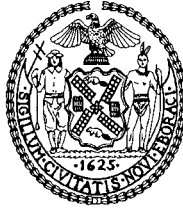


FEB 28 2008



MICHAEL A. CARDOZO  
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February 27, 2008

**BY HAND**

Hon. William H. Pauley III  
United States District Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street, Room 2210  
New York, New York 10007

Re: H.M. and M.M. o/b/o J.M. and A.M. v. New York City Dep't of Educ.  
08 Civ. 1230 (WHP)

Dear Judge Pauley:


I am an Assistant Corporation Counsel in the Office of the Corporation Counsel Michael A. Cardozo. I write on behalf of defendant Department of Education ("DOE") to respectfully request a 30 day extension of time for DOE to respond to the complaint, from February 28, 2008 until March 31, 2008. This is the first request for an extension of time in this matter. Plaintiff consents to this request.

Plaintiffs herein allege that they are entitled to attorney's fees in that they substantially prevailed at four administrative hearings relating to the educational placement of their children, J.M. and A.M. If the record ultimately demonstrates plaintiffs were in fact the prevailing party, the DOE does not dispute that counsel is entitled to reasonable fees. In fact, the DOE has a process for obtaining fees in this context. Plaintiffs' counsel has been previously informed of this process (and, in fact, has previously utilized this process), but has instead opted to seek relief from this Court in the first instance.


Upon request of defendant's counsel, plaintiffs' counsel has indicated that he is compiling the billing records relevant to this matter. An extension of time will allow for such records to be transmitted, and for defendant's counsel to analyze the records and explore the possibility of settlement.

Thank you for your consideration of this request for an extension of time to respond to the complaint until March 31, 2008.

Application Granted.  
SO ORDERED:

  
WILLIAM H. PAULEY III U.S.D.J.  
2/29/08

Respectfully,

A handwritten signature in black ink, appearing to be 'A. Goldenberg', with a long horizontal flourish extending to the right.

Abigail Goldenberg (AG 4378)  
Assistant Corporation Counsel

cc: By Fax  
Gary S. Mayerson  
Mayerson & Associates  
Attorney for plaintiffs  
Fax: 212-265-1735